

20 June 1956

MEMORANDUM FOR: Acting Chief, Fiscal Division

SUBJECT : Reimbursement for Transportation of Privately  
Owned Automobile for [REDACTED] 25X1A9a

1. A reclaim voucher submitted by [REDACTED] requested reconsideration of deductions made from a voucher claiming expenses for her transfer from Santa Rosa, California, to [REDACTED]. The travel order authorized travel by air and privately owned automobile at a cost not to exceed the cost by common carrier. The traveler was held to a direct air schedule for both per diem and leave purposes and was allowed costs of air travel for purposes of constructive costs. The travel order states: "Transportation of privately owned automobile is authorized. (Employee will drive to and from port if possible.)"

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2. The statement in the travel order that the employee will drive to and from the port if possible raises a question as to the intent of the authorizing official. If he authorized her to drive to the New York port in order to save the Government expense in shipping her automobile, he may have intended to authorize mileage without regard to common carrier costs, as being more advantageous to the Government. Ordinarily, the traveler will be authorized the cost of such means of travel as are most advantageous to the Government; and if he chooses to travel by another means, he will be liable for any excess costs. In this case, it would appear that the only advantage to the Government in having the employee drive from New York would be the slight reduction in the cost of shipping the automobile to [REDACTED] from New York rather than from San Francisco. That reduction in shipping cost probably would be more than offset by the additional per diem and mileage costs, even without considering the value of the employee's time. However, factors other than cost may enter into determination of advantage and the authorizing official has it within his discretion to make this determination. It is not clear that he has accurately stated his intent here. Because of the ambiguity in the travel order as it stands, it would not be improper to amend it to express the authorizing official's intent if it was incorrectly expressed in the first place.

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3. If the travel order accurately expresses the authorizing official's intent the deductions based upon constructive cost of air travel were proper. The modes of travel specified in the travel order were air and private automobile. The mileage claimed by the employee need not be reduced below an amount equal to the constructive cost of any authorized mode of travel plus the per diem applicable to that mode of travel (see 29 C.F.R. 485). Since air was the only common carrier authorized, constructive cost must be based upon that mode of travel.

4. You have raised two general questions in addition to the specific one in regard to [REDACTED] claim. These questions, restated, and the answers to them are as follows:

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a. Question. Upon what basis shall the cost of transportation be allowed a traveler who elects or is authorized to drive his automobile from the point of origin to the port from which it will be shipped to an overseas destination?

Answer. Cost of transportation should be allowed on a basis of advantage to the Government as determined by the authorizing official and stated in the travel order. If this results in reimbursement on a constructive cost basis such cost may be based upon any mode of travel authorized in the travel order. In practice this will result in reimbursing the traveler the constructive cost of the authorized mode of travel most favorable to him.

b. Question. Upon what basis should per diem and annual leave be computed when the employee elects to drive his car to the post?

Answer. Per diem and annual leave should be computed on the basis of the travel authorization. If the employee is authorized to travel on a constructive cost basis per diem and annual leave should be computed on the basis of the means of travel used in constructing costs. If he is authorized mileage as more advantageous to the Government, per diem and annual leave should be computed in accordance with the reasonable amount of time needed to travel by the type of conveyance authorized.

OGC/JDM:jcf  
distribution:

orig. - addressee  
1. - subject  
1. - chrono  
1. - signer

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[REDACTED]  
Office of General Counsel